

# PROHIBITED AREA AND ACTIVITIES

## Hours of the Election: 6:00 A.M. – 7:00 P.M.

Va. Code § 24.2-604

**What activities are unlawful in the Polling Place and Prohibited Area [within forty (40) feet of any entrance to the polling place building] while the polls are open or ballots are being counted?**

- Loitering or congregating
- Giving, offering or showing any ballot, ticket or other campaign material to any person
  - Exception—worn items like hats, buttons, stickers and t-shirts.
- Asking for any person’s vote
- In any way trying to influence any person in casting a vote
- Stopping or delaying a qualified voter in entering or leaving a polling place
- Stopping or delaying an officer of election
- Interfering with the orderly conduct of the election

**These offenses are Class 1 misdemeanors. The penalty is a fine up to \$2500 and up to 12 months in jail.**

**Who is allowed within the Polling Place and Prohibited Area while the polls are open?**

- A voter and an assistant if requested by the voter
- A minor (age 15 or under) accompanying a parent to vote
- An officer of election, electoral board member, registrar, staff, page, voting equipment custodian, or other person on official business with permission of the Officers of Election
- A candidate voting or visiting inside the polling place for no more than 10 minutes per polling place per election day
- A neutral observer with prior written authorization from the electoral board

**Who may have representatives in the polling place?**

- A political party with a nominee on the ballot or an independent or primary candidate on the ballot is entitled to representatives as follows:
  - Representative must be a qualified voter of the city or county within which the polling place is located and have authorization signed by the county or city chair of the political party, the independent candidate, or the primary candidate
  - An interpreter to observe language assistance to voters
  - A candidate on the ballot may not be a representative while voting is taking place

**When may representatives be in the polling place?**

- **Before the polls open**, one authorized representative of each party or candidate may be present while the voting equipment is examined (Va. Code § 24.2-639)
- **While the polls are open**, at least one, but no more than 3 representatives (at the discretion of the officers) are permitted in the polling room at any one time for each party or candidate
- **After the polls close**, two representatives of each party or candidate may be present while the ballots are counted and may not leave until the returns are completed
  - If there are fewer than 4 representatives, the officers shall notify any bystanders and select one or more so that there are as many as 4 bystanders and representatives (in total) present while the ballots are counted and the returns completed (Va. Code § 24.2-655)

**What about the news media?**

- News media may be present and may film or photograph inside the polling place while the polls are open, but may not film or photograph:
  - Any person who specifically asks the media representative at the time that he not be filmed or photographed
  - The voter or the ballot in a way that shows how any individual voter is voting
  - The voter list or any other material in a way that shows the name or other information about any individual voter

**Interviews, live broadcasts, or taping of reporters’ remarks may not be conducted inside the polling place or within the prohibited area.**

**The officers of election may require any person who is found by a majority of the officers present to be in violation of these laws to leave the polling place and the prohibited area.**

After voting please exit the polling place and the prohibited area.